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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM ASHFORD,

Petitioner,

No. CIV S-09-2703 GGH P

vs.

STEVE MOORE,

Respondent.

ORDER

\_\_\_\_\_ /

By Order, filed on October 14, 2009, respondent was directed to file a response to the original petition within 60 days; however, petitioner has since filed an amended petition, which the court will find supersedes the original.<sup>1</sup> Therefore, respondents will be directed to file their response to the amended petition, rather than to the original.

Also, in the prior order, petitioner was directed, inter alia, either to submit the appropriate in forma pauperis affidavit or to pay the required \$ 5.00 filing fee. See 28 U.S.C. §§ 1914(a); 1915(a). Court records indicate that, on October 20, 2009, petitioner paid the filing fee.

Accordingly, IT IS ORDERED that:

- 1. The amended petition, filed on October 20, 2009 (docket # 9), supersedes the original petition to which respondent was initially ordered to respond;

\_\_\_\_\_  
<sup>1</sup> Petitioner is cautioned not to file any further amended petition absent an order from this court.

1                   2. Respondent is now granted 60 days to respond to the amended, rather than the  
2 original, petition after which petitioner has 28 days to file a reply/traverse, opposition or  
3 statement of non-opposition, as appropriate, and, if respondent filed a motion, respondent will  
4 have 14 days to file any reply to petitioner's response; and

5                   3. Petitioner has discharged his filing fee obligation, pursuant to 28 U.S.C. §  
6 1914(a).

7 DATED: October 27, 2009

/s/ Gregory G. Hollows

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GREGORY G. HOLLOWES  
UNITED STATES MAGISTRATE JUDGE

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